

Rec'd PCT/PTO 14 JUN 2006

10/552661

ROTHWELL, FIGG, ERNST & MANBECK

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FACSIMILE TRANSMITTAL SHEET

DATE: June 14, 2006

TO: Mr. Winston M. Alvarado
 Fax No. 571-270-9878
 Tel. No. 703-308-9140, ext. 206

FROM: George R. Repper

OUR REF: 3224-0157
 YOUR REF.: Serial No. 10/552,661

RECEIVED

30 JUN 2006

Legal Staff
 International Division

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENCY RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICES. THANK YOU.

Number of Pages Including This Transmittal Sheet: 6

If any problems in connection with this facsimile, please contact: D. Hoefler at 202-783-6040

MESSAGE, IF ANY:

Dear Mr. Alvarado,

Pursuant to a telephone discussion between you and a member of my staff today, I am faxing you a copy of the petition to revive that was submitted along with US national phase commencement papers on October 11, 2005. I am also faxing a copy of our PTO date-stamped receipt cards evidencing submission of the petition to revive. The PTO receipt card indicates the petition to revive comprises 4 pages which would reflect the original petition along with a deposit account copy. Also enclosed is a copy of a page from PTO finance records showing a charge for the small entity petition to revive fee along with the filing, search and examination fees.

I understand you will process the petition and forward it for action. If you require anything further of us, please let me know. We look forward to withdrawal of the notice of abandonment mailed June 12, 2006 and reinstatement of the application.

George R. Repper, Reg. No. 31,414
 Attorney for Applicant

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket No.: 3224-157

U.S. Application No. (if known):

First Named inventor: Werner GRABHER

International (PCT) Application Number: PCT/EP04/002596

Filed: March 12, 2004

Title: CAN COMPRISING A FOIL SEAL

Attention: PCT Legal Staff

Box PCT

Assistant Commissioner of Patents

Washington, D.C. 20231

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) (as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition fee

small entity - fee \$750.00. Applicant claims small entity status.

other than small entity - fee \$1,500.00.

2. Proper Reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirements) in the form of a §1390

was previously filed on _____

is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this international application has filed an international filing date on or after June 8, 1995, no terminal disclaimer is required.

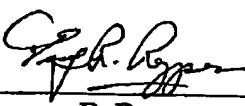
A terminal disclaimer (and disclaimer fee of \$65.00 for a small entity of \$130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
5. Please charge the \$750.00 fee to deposit account no. 02-2135. Also, if any additional payment is required or any credits need to be made, please charge the cost thereof to deposit account no. 02-2135. An extra copy of this letter is attached.

**WARNING: Information on this form may become public.
Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.**

Respectfully submitted,

By


George R. Repper
Attorney for Applicants
Registration No. 31,414
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040

3224-157-pet.wpd

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ROTHWELL, FIGG, ERNST & MANBECK, 1425 K St NW, Ste 800, Wash, DC 20004-3333 (202) 733-6640

TO BE DATE-STAMPED BY THE U.S. PATENT AND TRADEMARK OFFICE AS ACKNOWLEDGMENT OF RECEIPT BY IT OF
THE FOLLOWING:

	Description	No.	Description	No.
<input checked="" type="checkbox"/>	Form PTO-1390	14	Assignment & Recordation Cover Sheet	
<input checked="" type="checkbox"/>	Copy of International Application as Filed	9	Information Disclosure Statement (IDS)	
<input checked="" type="checkbox"/>	Verified English Translation of Int'l Appln as Filed	12/10	PTO 1449	
	Copy of Article 19 Amendments		Copies of references cited in IDS	
	English Translation of Article 19 Amendments		Preliminary Amendment	7
<input checked="" type="checkbox"/>	Copy of Annexes to IPER	2	Substitute Specification (marked-up/clean total)	12
	English Transl of Annexes to IPER		2d Copy of Published APN u. 35 USC 154(d)(4)	
	Inventor(s) Declaration		2d Copy of Verified English Translation	12/10
	Sequence List (Paper Pages)		Copy of International Search Rpt (ISR)	2
	Sequence List (CRF)		PCT/IB/304	
<input checked="" type="checkbox"/>	Petition for Revival of Unintentionally Aband Appn	3M	International Prelim Exam Rpt (IPER)	1
<input checked="" type="checkbox"/>	Application Data Sheet	1	PCT Request	6
				3
<input checked="" type="checkbox"/>	APPLICATION FILING/CLMS FEES PAID: \$100.00		CHECK	X DEP ACCT 02-2135
	ASSIGNMENT RECORDATION FEE PAID:		CHECK	X DEP ACCT 02-2135
ATTORNEY DOCKET NO.: 3224-157		ATTORNEY/ASSISTANT: GRR:krb		
FIRST-NAMED INVENTOR: Werner GRABHER				
TITLE: CAN COMPRISING A FOIL SEAL				
INTERNATIONAL APPLICATION NO.: PCT/EP04/002596 ✓				

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10/552661
FOR SERIAL NUMBER (DO NOT EXTRACT NUMBER)

JC04 Rec'd PCT/PTO 11 OCT 2005

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FAC PROC. INIT.

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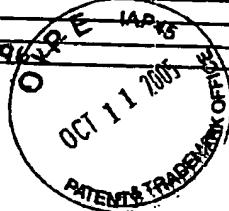
TO BE DATE-STAMPED BY THE U.S. PATENT AND TRADEMARK OFFICE AS ACKNOWLEDGMENT OF RECEIPT BY IT OF
THE FOLLOWING:

Description		No.	Description		No.
<input checked="" type="checkbox"/> Form PTO-1390	+ Dep Acct C. my	✓	<input checked="" type="checkbox"/> Assignment & Recordation Cover Sheet		
<input checked="" type="checkbox"/> Copy of International Application as Filed		✓	<input checked="" type="checkbox"/> Information Disclosure Statement (IDS)		
<input checked="" type="checkbox"/> Verified English Translation of Int'l Appn as Filed		✓	<input checked="" type="checkbox"/> PTO 1449		
<input checked="" type="checkbox"/> Copy of Article 19 Amendments			<input checked="" type="checkbox"/> Copies of references cited in IDS		
English Translation of Article 19 Amendments			<input checked="" type="checkbox"/> Preliminary Amendment		
<input checked="" type="checkbox"/> Copy of Annexes to IPER			<input checked="" type="checkbox"/> Substitute Specification (marked-up/clean total)		✓
English Transl of Annexes to IPER		✓	<input checked="" type="checkbox"/> 2d Copy of Published APN u. 35 USC 154(d)(4)		✓
<input checked="" type="checkbox"/> Inventor(s) Declaration		✓	<input checked="" type="checkbox"/> 2d Copy of Verified English Translation		✓
Sequence List (Paper Pages)			<input checked="" type="checkbox"/> Copy of International Search Rpt (ISR)		✓
Sequence List (CRF)			<input checked="" type="checkbox"/> PCT/IB/304		✓
<input checked="" type="checkbox"/> Petition for Revival of Unintentionally Abnd Appn	✓	✓	<input checked="" type="checkbox"/> International Prelim Exam Rpt (IPER)		✓
<input checked="" type="checkbox"/> Application Data Sheet		✓	<input checked="" type="checkbox"/> PCT Request		✓
<input checked="" type="checkbox"/> APPLICATION FILING/CLMS FEES PAID: \$1700.00		✓	<input checked="" type="checkbox"/> CHECK		<input checked="" type="checkbox"/> DEP ACCT 02-2135
ASSIGNMENT RECORDATION FEE PAID:			<input checked="" type="checkbox"/> CHECK		<input checked="" type="checkbox"/> DEP ACCT 02-2135

IN REGARD TO

ATTORNEY DOCKET NO.: 3224-157	ATTORNEY/ASSISTANT: GRR:krb
FIRST-NAMED INVENTOR: Werner GRABHER	
TITLE: CAN COMPRISING A FOIL SEAL	
INTERNATIONAL APPLICATION NO.: PCT/EP04/00259	

10-11-05



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19 of 20

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10/19 548	10552161	2923-734	1631	\$300.00	\$26,489.62
10/19 549	10552161	2923-734	1642	\$400.00	\$26,089.62
10/19 550	10552161	2923-734	1633	\$200.00	\$25,889.62
10/20 2	PCT/US04/23098	2885-131.PCT	1705	\$11.00	\$25,878.62
10/20 17	E-REPLENISHMENT		9203	-\$5,000.00	\$30,878.62
10/20 105	11079476	1954-463	8021	\$40.00	\$30,838.62
10/20 117	11079476	1954-463	8021	\$40.00	\$30,798.62
10/20 126	6378515	1110-261	1551	\$900.00	\$29,898.62
10/20 127	5744452	2697-103	2552	\$1,150.00	\$28,748.62
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10/20 176	10832248	2923-629	1201	\$1,200.00	\$27,238.62
10/20 177	10832248	2923-629	1202	\$2,600.00	\$24,638.62
10/20 185	11134624		8021	\$40.00	\$24,598.62
10/20 236	09973088	2411-110	1252	\$450.00	\$24,148.62
10/20 237	10433050	2923-0537	1201	\$400.00	\$23,748.62
10/20 238	10433050	2923-0537	1202	\$1,400.00	\$22,348.62
10/20 239	10433050	2923-0537	1806	\$180.00	\$22,168.62
10/20 240	10433050	2923-0537	1464	\$130.00	\$22,038.62
10/20 292	<u>10552661</u>	<u>3224-157</u>	2631	<u>\$150.00</u>	<u>\$21,888.62</u>
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10/20 294	<u>10552661</u>	<u>3224-157</u>	2642	<u>\$200.00</u>	<u>\$21,588.62</u>
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10/20 344	10552702	1768-138	2631	\$150.00	\$20,688.62
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10/20 346	10552702	1768-138	2633	\$100.00	\$20,388.62
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10/20 489	11140256	2965-197	8021	\$40.00	\$20,223.62
10/20 556	11148429		8021	\$40.00	\$20,183.62
10/20 579	10463324	2576-121	1501	\$1,400.00	\$18,783.62
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10/21 31	10069613	1181-258	1253	\$1,020.00	\$17,408.62
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10/21 66	11252578	2885-127	1011	\$300.00	\$16,608.62
10/21 67	11252578	2885-127	1111	\$500.00	\$16,108.62
10/21 68	11252578	2885-127	1311	\$200.00	\$15,908.62
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10/21 115	0154680044	2232-171	8014	\$25.00	\$15,858.62
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10/21 137	10832257	2923-630	1201	\$1,800.00	\$12,608.62
10/21 138	10832257	2923-630	1806	\$180.00	\$12,428.62

<https://ramps.uspto.gov/eram/Controller;jsessionid=ramps-10300-8fb:43677963:f92b58fce...> 11/1/2005